

# United States District Court

WESTERN DISTRICT OF WASHINGTON

SKY-STEVEN THOMAS MILLER

JUDGMENT IN A CIVIL CASE

v.

PERRY B. BARTRAM, JR. et al.,

CASE NUMBER: C09-5094BHS

— **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

The Court adopts the Report and Recommendation;

Defendants' Motion for Summary Judgment (Dkt. 44) is **GRANTED**. Plaintiff failed to exhaust his claim that Defendants were deliberately indifferent to his need for medical shoes and that claim should be dismissed without prejudice; Plaintiff's remaining claims against Defendants Perry Bartram, Ron Van Boening, and G. Steven Hammond for violation of his Eighth Amendment rights are **DISMISSED** with prejudice.

May 18, 2010  
Date

BRUCE RIFKIN  
Clerk

s/CM Gonzalez  
Deputy Clerk